

## REMARKS

A. Status Of Claims

Claims 39-60 were pending in the application prior to the instant Amendment.

Claim 61 has been added.

Claims 39-61 are now pending.

B. Citation of Prior Art

Applicant herewith enclosed a citation of prior art including copies of the cited prior art as well as a completed Form PTO-892 for consideration by the examiner.

C. Amendments To The Specification

The specification is being review to correct any typographical errors and to insert terms in the specification found in the original disclosure of claims 5, 14 and 20 to providing proper antecedent basis for claims 5, 14 and 20.

A Supplemental Amendment B has been filed to correct typographical errors and to insert terms in the specification found in the original disclosure of claims 5, 14 and 20 to providing proper antecedent basis for claims 5, 14 and 20.

D. New Claim

Claim 61 has been added to the application by the present Amendment C. This claim has not been previously presented for consideration by the Examiner. The support for the subject matter of new claim 61 may be found in paragraphs 0092, 0115 and 0217 of the specification.

It is respectfully submitted that the cited references either singularly or in combination do not teach or suggest such as sleep regulating pharmaceutical formulation.

The prior art made of record but not relied upon has been reviewed and appears to be less pertinent to the claimed subject matter than the references cited by the Examiner.

E. Request For Extension of Time

Enclosed is a Request for Extension of Time to respond to the outstanding office action.

F. Additional Fees

Please charge Deposit Account No. 06-2120 for the fees for any additional claims, an Extension of Time, Citation of Prior Art, Petitions, Terminal Disclaimers or any other fee arising out of this correspondence.

Applicant verily believes that all claims are now in condition for allowance and favorable action is respectfully requested. The undersigned attorney of record cordially invites any telephonic communications from the examiner that may assist the examiner in the examination and to expedite the allowance and issuance of Letters Patent on the subject invention.

Respectfully submitted,

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Deposit Account

Please charge our account any deficiency in fees or credit any over payment arising out of this correspondence to Deposit Account No. 06-2120.

Certificate of Mailing

It is hereby certified that the foregoing correspondence and fee is being placed in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 and mailed by first class mail, postage prepaid, this 9<sup>th</sup> day of October, 2007.

A handwritten signature in black ink, appearing to be "D. H. J.", is written over the text of the certificate of mailing.